

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
UWOTL127139		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/US04/32639	October 1, 2004	October 1, 2003
TITLE OF INVENTION		
NOVEL POROUS BIOMATERIALS		
APPLICANT(S) FOR DO/EO/US		
Buddy D. RATNER and Andrew MARSHALL		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- X   1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- X   3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- X   4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- X   a. is attached hereto (required only if not communicated by the International Bureau).
- b. has been communicated by the International Bureau.
- X   c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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- X   7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- \_\_\_\_\_ a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_\_ b. have been communicated by the International Bureau.
- \_\_\_\_\_ c. have not been made; however, the time limit for making such amendments has NOT expired.
- X   d. have not been made and will not be made.
- \_\_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- \_\_\_\_\_ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- \_\_\_\_\_ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- \_\_\_\_\_ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- \_\_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- \_\_\_\_\_ 13. A preliminary amendment.
- X   14. An Application Data Sheet under 37 C.F.R. 1.76.
- \_\_\_\_\_ 15. A substitute specification.
- \_\_\_\_\_ 16. A power of attorney and/or change of address letter.
- \_\_\_\_\_ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 C.F.R. 1.821 – 1.825 is transmitted herewith in printed and computer-readable formats. The paper and computer-readable copies of the sequence listing are the same and do not contain new matter. Entry of the sequence listing into the application is requested. The paper copy comprises \_\_\_\_\_ additional pages.
- \_\_\_\_\_ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_\_ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X   20. Other items or information:
- X   a. A copy of the International Search Report.
- X   b. A copy of the Written Opinion of the International Searching Authority.

The following fees are submitted:.				<b>CALCULATIONS</b>	
21. <input checked="" type="checkbox"/> a) Basic national fee.....\$300				\$300.00	
22. <input checked="" type="checkbox"/> b) Examination fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 All other situations.....\$200.00				\$0.00	
23. <input checked="" type="checkbox"/> c) Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400.00 All other situations.....\$500.00				\$0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$300.00	
____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250.00</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round <b>up</b> to a whole number)	Rate		
28 - 100 =	/50=	0	x <b>\$250</b>	\$--	
Surcharge of <b>\$130</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$--	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	25 - 20 =	5	x \$50	\$250.00	
Independent claims	4 - 3 =	1	x \$200	\$200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$--	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$750.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$375.00	
<b>SUBTOTAL =</b>				\$375.00	
Processing fee of <b>\$130</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$--	
<b>TOTAL NATIONAL FEE =</b>				\$375.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40</b> per property. +				\$--	

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<b>TOTAL FEES ENCLOSED =</b>		<b>\$375.00</b>
	Amount to be refunded:	\$
	Amount to be charged:	\$

- X   a. Please charge my Deposit Account No. 03-1740 in the amount of 375.00 to cover the above fees.
- X   b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740.

SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Dennis K. Shelton  
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Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

**/Dennis K. Shelton/**

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DKS:cj